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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/507,265 | 09/10/2004 | Koichi Arishima | 88527.0002 | 4818 |
| 26021 | 7590 | 03/22/2006 | EXAMINER | |
| HOGAN & HARTSON L.L.P. 500 S. GRAND AVENUE SUITE 1900 LOS ANGELES, CA 90071-2611 | | | WOOD, KEVIN S | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2874 | |

DATE MAILED: 03/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/507,265

Applicant(s)

ARISHIMA ET AL.

Examiner

Kevin S. Wood

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 9/10/04 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 10/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The abstract of the disclosure is objected to because it is multiple paragraphs.

Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 and 2 fail to point out what is included or excluded by the claim language. The use of the word "if" within each limitation of the claims renders the claims indefinite. It is impossible for the examiner to determine the scope of the claimed invention because of the indefinite language. Claims 3-14 depend from claim 1 and/or claim 2, and are indefinite for the same reasons.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-10 and 15-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,509,547 to Bernstein et al.

Referring to claim 1, the Bernstein et al. reference discloses a method for manufacturing a bared optical fiber in which a laser beam is applied to a coated optical fiber. The Bernstein et al. reference discloses that laser beam energy (10) is directed onto an optical fiber to ablate or remove the protective layers or coatings without damaging the bared optical fiber. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 2, the Bernstein et al. reference discloses a method for manufacturing a bared optical fiber in which a laser beam is applied to a coated optical fiber. The Bernstein et al. reference discloses that laser beam energy (10) is directed onto an optical fiber to ablate or remove the protective layers or coatings without damaging the bared optical fiber. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 3, the Bernstein et al. reference discloses the laser beam (10) is collected in the shape of a line and is applied to the coated optical fiber (12) in an axial direction of the coated optical fiber or in a direction crossing the axial direction. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 4, the Bernstein et al. reference discloses the laser beams (10) are applied from different directions. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 5, the Bernstein et al. reference discloses the laser beam (10) is applied to the coated optical fiber (12) while the laser beam is being moved in an axial direction of the coated optical fiber or in a direction crossing the axial direction. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 6, the Bernstein et al. reference discloses the laser beams (10) are applied to the same portion of the optical fiber (12) at the same time. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 7, the Bernstein et al. reference discloses the optical fiber (30) may be a multi fiber. See Fig. 4 of the invention along with their respective portions of the invention.

Referring to claims 8-10, the Bernstein et al. reference discloses the laser may be a CO₂ laser, excimer laser, a YAG laser or any other laser source. See col. 4, lines 1-3 of the reference.

Referring to claim 15, the Bernstein et al. reference discloses device for manufacturing a bared optical fiber in which a laser applying part applies laser beams

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(10) onto a coated optical fiber (12) to ablate or remove the protective layers or coatings without damaging the bared optical fiber. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 16, the Bernstein et al. reference discloses the laser beam (10) is collected in the shape of a line and is applied to the coated optical fiber (12) in an axial direction of the coated optical fiber or in a direction crossing the axial direction. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 17, the Bernstein et al. reference discloses the laser beams (10) are applied from different directions. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 18, the Bernstein et al. reference discloses the laser beam (10) is applied to the coated optical fiber (12) while the laser beam is being moved in an axial direction of the coated optical fiber or in a direction crossing the axial direction. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 19, the Bernstein et al. reference discloses the laser beams (10) are applied to the same portion of the optical fiber (12) at the same time. See Fig. 1-10 of the invention along with their respective portions of the invention.

Referring to claim 20, the Bernstein et al. reference discloses the optical fiber (30) may be a multi fiber. See Fig. 4 of the invention along with their respective portions of the invention.

Referring to claims 21, the Bernstein et al. reference discloses the laser may be a CO₂ laser, excimer laser, a YAG laser or any other laser source. See col. 4, lines 1-3 of the reference.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 11-14 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,509,547 to Bernstein et al.

Referring to claims 11-14 and 22-25, the Bernstein et al. reference does not appear to specifically disclose an inert gas applied to the applied to the portion of the

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optical fiber to which the laser beam is directed in order to exhaust the gas generated when the laser beam is applied. The Lawton et al. reference discloses an optical fiber coating method and system that utilizes the flow of dry air or another gas across the area of the fiber where the coating is being removed for the purpose of preventing moisture condensation or contamination. Since the Bernstein et al. reference and the Lawton et al. reference are both from the same field of endeavor, the purpose disclosed by Lawton et al. would have been recognized within the pertinent art of the Bernstein et al. reference. It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize an inert gas flow, such as dry air, directed to the area of the optical fiber where the coating is being removed for the purpose of removing moisture, condensation, and/or other gases which cause unwanted contamination within the system. It would be obvious to one having ordinary skill in view the teaching of the Lawton et al. reference to utilize select the purge flow material on the basis of its suitability to remove the contaminate produced during the process.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin S. Wood whose telephone number is (571) 272-2364. The examiner can normally be reached on Monday-Thursday (7am - 5:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney B. Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink that reads "Kevin S. Wood". The signature is written in a cursive, flowing style.

Kevin S. Wood
Patent Examiner